

State Water Resources Control Board

Division of Drinking Water

September 12, 2014

Mr. Mohammed Hussain
Three Brothers Travel Plaza
P.O. Box 3001
Nice, CA 95464

CITATION NO. 02-03-14C-014

NITRATE MONITORING AND REPORTING VIOLATION

Enclosed is a citation issued to the Three Brothers Travel Plaza (System), public water system number 1700725, for failing to sample for nitrate in 2013.

Because this is an enforcement action for noncompliance with State regulations, your System will be billed at the Department's hourly rate (currently estimated at \$126.00) for the time spent issuing and following up on this citation. You will receive a bill for these fees sent from our Fee Billing Unit in Sacramento later this year.

If you have any questions regarding this matter, please contact Lori Hanson of my staff at (707) 576-2145.

Sincerely,



Michelle F. Frederick, P.E.
Mendocino District Engineer
Drinking Water Field Operations Branch

Enclosures

c: Dunken Pumps
2615 S. Main Street
Lakeport, CA 95453

Lake County Environmental Health Department

1700725/Compliance Section #6
Citation 02-03-14C-014-1700725-003/LSH

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Public Water System: Three Brothers Travel Plaza

Water System Number: 1700725

To: Three Brothers Travel Plaza
P.O. Box 3001
Nice, CA 95464

Issue Date: September 12, 2014

CITATION FOR NON-COMPLIANCE
Section 64432.1(a), Title 22, California Code of Regulations
Annual Nitrate
Monitoring and Reporting Violation 2013

The State of California Water Resources Control Board, Division of Drinking Water (Division) hereby issues a citation to Three Brothers Travel Plaza (System) for failure to comply with Title 22, California Code of Regulations (CCR) Section 64432.1(a).

1
2 Chapter 4, Article 9, Section 116550 of Part 12 of Division 104 of the California
3 Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to
4 comply with a requirement of Chapter 4 (California Safe Drinking Water Act), or any
5 regulation, standard, permit or order issued thereunder. A copy of the *Applicable*
6 *Statutes and Regulations* is located in Appendix 1, which is attached hereto and
7 incorporated by reference.
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10 **STATEMENT OF FACTS**

11 The Three Brothers Travel Plaza is required to monitor the groundwater source Well
12 01, PS code 1700725-001, for nitrate each year, in accordance with Section
13 64432.1(a) of the CCR. To date, the Division has not received any laboratory
14 results for a nitrate sample collected from Well 01 at the Three Brothers Travel
15 Plaza in 2013.
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17 **DETERMINATIONS**

18 The Division has determined that the Three Brothers Travel Plaza is in violation of
19 Section 64432.1(a), Title 22, of the CCR, because the System failed to perform
20 nitrate monitoring in 2013.
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DIRECTIVES

The Three Brothers Travel Plaza is hereby directed to take the following actions:

1. Comply with Sections 64432.1(a) and 64469, Title 22, of the California Code of Regulations in all future monitoring periods.
2. On or before **October 12, 2014**, notify all persons served by the System of the nitrate monitoring violation in conformance with Section 64463.4 and Section 64465, Title 22 of the CCR. A copy of these regulatory sections is provided in Appendix 1. The Public Notification Template in Appendix 2 may be used to fulfill this directive, provided the corrective actions section and contacts section of the template are completed prior to notification.
3. The System shall complete Appendix 3: Compliance Certification. Submit it together with a copy of the public notification to the Division on or before **October 17, 2014**.

The Division reserves the right to make such modifications to this Citation, as it deems necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance.

Nothing in this Citation relieves the System of its obligation to meet the requirements of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued thereunder.

1 All documents required by this Citation shall be submitted to the Department at the
2 following address:

3
4 Michelle F. Frederick, P.E., District Engineer
5 Mendocino District
6 Drinking Water Field Operations Branch
7 50 D Street, Suite 200
8 Santa Rosa, CA 95404

9 **PARTIES BOUND**

10 This Citation shall apply to and be binding upon the System, its officers, directors,
11 agents, employees, contractors, successors and assignees.

12 **SEVERABILITY**

13 The directives of this Citation are severable, and the System shall comply with each
14 and every provision thereof, notwithstanding the effectiveness of any provision.
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1 **FURTHER ENFORCEMENT ACTION**

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3 Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the
4 California Health and Safety Code authorizes the Division of Drinking Water to:
5 issue additional citations with assessment of penalties if the System continues to fail
6 to correct a violation identified in a citation; take action to suspend or revoke a
7 permit that has been issued to a public water system if the System has violated
8 applicable law or regulations or has failed to comply with orders of the Division; and
9 petition the superior court to take various enforcement measures against a public
10 water system that has failed to comply with orders of the Division. The Division
11 does not waive any further enforcement action by issuance of this citation.
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13
14 Michelle F. Frederick Sept. 12, 2014
15

16 Michelle F. Frederick, P.E.
17 District Engineer
Mendocino District

Date

18
19 Certified Mail No. 7012 3460 000264594621
20

21 Appendices (3):

- 22 1. Applicable Statutes and Regulations
23 2. Public Notification Template
24 3. Compliance Certification
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26 1700725/Compliance Section #6
27 02-03-14C-014/LSH



APPENDIX 3. COMPLIANCE CERTIFICATION

Citation Number : 02-03-14C-014

Name of Water System: **Three Brothers Travel Plaza**

System Number: **1700725**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violations of Title 22, California Code of Regulations. In addition, I certify that the Three Brothers Travel Plaza complied with the directives of this citation as indicated below:

Required Action	Date Completed
Complete Attachment A, as required in Directive 2	<div></div>
Public Notification – Indicate methods below.	<div></div>
<input checked="" type="checkbox"/> Posting in conspicuous locations throughout the area served by the water system for a minimum of 7 days (REQUIRED);	
AND one of the following:	
<input type="checkbox"/> Publication in a local newspaper or newsletter distributed to customers (attach copy of newspaper/letter);	
<input type="checkbox"/> E-mail message to employees or students (attache copy of email);	
<input type="checkbox"/> Posting on the Internet or intranet (provide printout of website); or	
<input type="checkbox"/> Direct delivery to each customer (provide copy of notification).	

Signature of Water System Representative

Date

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT
NO LATER THAN October 17, 2014**

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.